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DISCUSSION

Dense Struggle (I): Violence and the otherworldly

LUIS ESLAVA — 21 September, 2015

This post appeared first on Critical Legal Thinking.

How can we make sense of popular struggles in this period of late capitalist modernity? What do the experiences, voices, and visions of groups involved in such struggles tell us about the actual functioning of our world — a world mined with growing inequalities, ever more intrusive levels of governance and managerial techniques, all of this held together by the increasing ubiquity of law? What does the silencing of such groups — and their refusal to be silenced — teach us about political action in our supposedly disenchanted times? And, more specifically, what can we

learn from the arrival of otherworldly forces — a ghost, for example — in their midst?

Photo. 1. Group of IDPs in Plaza de Bolívar (April, 2009). L. Eslava.

In this and the three posts that follow, I explore these questions through a body of visual and ethnographic material that I gathered in 2009. Over a period of six months during that year, I accompanied a group of Internally Displaced People (IDPs) in the city of Bogotá.

The group was formed by around sixty families, most of them displaced from rural and semirural areas in Colombia. Like many of the other four million Colombians who have been victims of internal displacement over the last three decades, these families had been displaced from their lands as the Colombian civil war between official armed forces, paramilitary groups and guerrilla groups intensified under the government of Álvaro Uribe (2002 – 2010), and the infamous War on Drugs began a more virulent chapter in the country's history, thanks to US military aid and its Plan Colombia.[1]

I have described elsewhere how this group engaged during these six months in a long and unsuccessful protest for the recognition of their rights as IDPs[2] — rights confirmed in international treaties, national legislation, and by the Colombian Constitutional Court. [3] Their protest was directed against the local administration of Bogotá, the national government, and various international institutions, especially the United Nations High Commissioner for Refugees (UNHCR). During these six months, they squatted in the central and most important plaza of Bogotá: the Plaza de Bolívar; after that, they occupied a large park recently inaugurated on the edges of the city-center, the Parque Tercer Milenio, with other displaced families; and finally, they ended up living for several weeks in a temporary housing solution. This temporary accommodation (which I will refer to as the refuge) was provided by the local administration in exchange for their decision to accept its request that they leave Parque Tercer Milenio (photos. 1 – 3).

Photo. 2. IDPs' occupation of Parque Tercer Milenio (May, 2009). L. Eslava.

The protest of this group of families was widely covered in Colombia's print media and television news, and their occupation of public spaces became a topic of heated debate and conversation amongst local elites and politicians at all levels of government. Media news during this time carried sensationalist headlines and expressed excessive concerns about the pressure put by this group and other families of IDPs on the city's services and infrastructure. [4]

Photo. 3. Refuge for IDPs offered by the local administration (June, 2009). L. Eslava.

After six months of fighting for the fulfillment of their rights, the group I was following abandoned their protest on the basis of an agreement that they signed with national and local authorities, and with the oversight of international officials. The authorities promised in that agreement to provide each of the families with a stable housing solution, regular humanitarian help, and resources with which to establish a productive project.

Time has proven, however, that the group's deep suspicions about the authorities' willingness to honor the agreement were correct. As I am writing this post, almost five years after the families ended their protest, the promises made in the agreement have still only barely been fulfilled, just as the families had feared.

In spite of their doubts, the families signed the agreement because, by that time, they were physically, emotionally and mentally exhausted. Their protest, especially during the final weeks, was marked by internal divisions, domestic violence

amongst group members, confrontations with the police, and long, restless nights.

They got to this state as a result of the length of their protest, the refusal of different levels of government to take responsibility for their situation, their own memories of war and displacement, the chronic poverty suffered by many members of the group, and the claustrophobia generated by living crammed together in the refuge for many months.

As I will describe in more detail, the refuge was an enormous, hollow, enclosed industrial shed, located in a deteriorating part of the city center. It was guarded by police officers, and routinely visited by national officials and waves of social workers from the local administration. Occasionally, international delegations and religious groups also visited the shed. These actors ran questionnaires on the members of the group, collected information from them, and asked them — again and again — for proof of their identity as displaced persons. Rarely, however, did any of these actors arrive at the shed with food, or with the offer of any long-lasting solutions to their problems (photos. 4 – 5).

Photo. 4. Inner rooms of the refuge (May, 2009). L. Eslava.

In combination, all of these factors led the group to realize that neither the local administration, nor the national government, nor any of the international institutions involved were prepared to pay attention to their claims, or to be moved by their protest. After six months of protest, many of the group reached the conclusion that they had no choice but to endure their situation, pack up their stuff and move on with their lives. [5]

Photo. 5. Main entrance of the refuge for IDPs (May, 2009). L. Eslava.

What I would like to discuss here, however, is perhaps the most puzzling part of those six months. It is only with time that I have started to make sense of this material, and to realize the importance of thinking through what this group of IDPs shared with me about a ghost — yes, a ghost — that came to interrupt their nights in the refuge over the course of several weeks.

It has taken me a long time to realize that this ghost — a white woman, with long hair, seen quietly strolling around the refuge at nighttime — was an embodiment of the group's frustrations with the global order at that particular point in their protest. It was at this point that it became all to clear to them that this global order had placed them at the center of a tight arrangement of laws, jurisdictions, and legal and economic norms while remaining absolutely unresponsive to their claims.

With this exercise, I want to make sense aloud of these events. In doing so, my aim is to offer to the reader an opportunity to think about our current global order — with its antagonisms, localized realities and imbricated relations of laws and other economic and social forces — as a site of dense struggle.

I use the idea of dense struggle here in two ways.

Firstly, this idea refers to that innate complexity of patterns of global accumulation, wealth distribution, jurisdictional realms, administrative procedures and legal forms that closely follow current localized injustices, and that I suggest we should keep in mind if we want to be analytically acute and politically effective in today's world. In my analysis, these material and normative patterns make up the outer shape of the so-called "spirit of capitalism". These patterns comprise the very infrastructure of the current global order in our time of late capitalist modernity.

Secondly, the idea of dense struggle points in my reading to that excess of violence and otherworldly forces, emotions and phantasmic embodiments that accompanies today's global order no less than the patterns just described.6 As the

events that I discuss in the next posts show only too clearly, this excess of violence and otherworldly forms — of violence and desires, dreams, fears and spectra — is systematically ignored, hidden away, managed and regularized by the official managerial practices and discourses enacted by local, national and international institutions, and echoed by private actors and the vast majority of citizens. Each of these actors, permanently try to conceal this violence andregularize this otherworldliness, recoding them as the seemingly inevitable surpluses of today's global order or as folk reactions to the tide of late modernity. The aim of this recoding is deactivation. Its objective is to present the existence of capitalism's material and spectral dark sides as the unavoidable sequels to our current times — as irrational upshots that should not interrupt the business of everyday life and the motions of global capitalism.

But as we will see, this excess of violence and otherworldliness finds itself re-surfacing in different shapes and textures in the vernaculars of popular politics — or what Chatterjee has called the politics of the governed in "most of the world". [7] As such, this excess ends up accompanying the days, and especially the nights, of subjects who, like the IDPs that I followed in Bogotá, are "critical" for and of these processes of management and regularization.[8]

I pay attention here to this excess, to this violence and phantasmagoria, in order to draw the attention of the reader to the importance of deploying a politics of solidarity in her engagements with "most of the world". For me, this solidarity accepts the challenge of fostering new legal and political forms of support to popular struggles, but defines itself against the demonization of popular imaginations (photo. 6).

Photo. 6. IDPs at Parque Tercer Milenio (May, 2009). L. Eslava.

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Read the other parts of the essay here:

Part II "Dense Struggle (II): Oh yes, that, our world"

Part III: "Dense Struggle (III): The Modern Uncanny"

Part IV: "Dense Struggle (IV): The Ghostly Real"

This post appeared first on Critical Legal Thinking.

Footnotes

[1] Se e.g., The Economist, 'Álvaro Uribe's Colombia: not yet the promised land' (Jan. 2010), 31 – 32.
[2] Luis Eslava, 'El Derecho Urbano en un Mundo

Globalizado' in Mauricio Rengifo and Juan Felipe Pinilla (eds), La Ciudad y el Derecho: Una Introducción al Derecho Urbano Contemporáneo (Temis & Universidad los Andes, 2012); Luis Eslava, '"I feel like a dog with the tail between its legs": The Limits of Protest and Urban Law in a Decentralized World' in Oishik Sircar, Vik Kanwar and Rajshree Chandra (eds), Human Rights Beyond the Law (Oxford University Press, forthcoming).

[3] See e.g., Ana María Ibáñez and Andrea Velásquez, Public policies to assist internally displaced persons: the role of municipal authorities (Brookings Institution, December 2008); Universidad de los Andes-The Brookings Institution, Acción Social, Protecting the displaced in Colombia: the role of municipal authorities– Summary Report(2009).

[4] See e.g., El Tiempo.com, 'Alcaldes pagan tiquete a desplazados para que viajen a Bogotá, denuncia Secretaría de Gobierno' (31 de Julio 2009).

[5] Although remarkable for their decision to openly challenge authorities with their occupation of public spaces for such a long time, the story of this group is far from being foreign to many other groups of IDPs in Colombia.

[6] See on the question of excess, George Bataille, The Accursed Share: an Essay on General Economy, Vol. 1: Consumption (Zone Books, 1991).

[7] Partha Chartterjee, The Politics of the Governed: Reflections on Popular Politics in Most of the World (Columbia University Press, 2004).

[8] Patricia Tuitt and Peter Fitzpatrick, 'Introduction' in Peter Fitzpatrick and Patricia Tuitt (eds), Critical Beings: Law, Nation, and the Global Subject (Ashgate, 2003), xi.

ISSN 2510-2567

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